IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.619 OF 2007

In

SUIT NO.1984 OF 1981

Shaikh Shoaib Yasin & Ors. : Plaintiffs

V/s.

Mrs.Jamilabee Kasim Abu Hussein & Ors. : Defendants

...

Mr.Asif Iqbal I. Patel for the plaintiffs.

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CORAM : S.A.BOBDE, J.

DATE : MARCH 1, 2007.

P.C.

1. This Motion is for restoration of the suit which was dismissed on 12.2.2007.

2. The plaintiffs have tendered an affidavit of service. None appears for the defendants. It appears that when the matter was called out, the plaintiff had gone to call his Advocate. When he came back, he waited till the Court rose. Thereafter, he found that the matter was dismissed for default. In view of the uncontroverted averments, the Notice of Motion is hereby allowed in terms of prayer clause (a).

S.A. BOBDE, J.